

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 10:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs' possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 11:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your allegation in Paragraph 20 of your First Amended Complaint that a number of Fujitsu Limited's subsidiary or affiliate companies regularly conduct business in the Territory of Guam, and sell products to people and businesses in the Territory of Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 11:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").

- 1 • Plaintiffs object to this request because it seeks information that is equally available to
2 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
3 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
4 business records.
- 5 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
6 possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
7 responsive to this request is the product of jurisdictional discovery that Defendants have yet
8 to fully yield.

9 **REQUEST FOR PRODUCTION NO. 12:**

10 All documents, electronically stored information, and things relating to or resulting from
11 your Freedom of Information Act requests submitted to the United States Navy and United States
12 Air Force Exchanges in the Territory of Guam.

13 **1. FMA's Position**

14 *See supra* section II (FMA'S General Contentions and Points of Authority).

15 **2. Plaintiffs' Specific Contentions and Points of Authority**

16 In addition to their General Contentions and Points of Authority, Plaintiffs make the
17 following specific objections to Request for Production No. 12:

- 18 • Plaintiffs object to this request as premature because it seeks information that is the subject
19 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
20 until May 15, 2007, and which is presently covered by the work product privilege. *See*
21 FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal
22 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
23 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
24 law....").
- 25 • Plaintiffs object to this request because it seeks information that is equally available to
26 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
*6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
business records.

27 **REQUEST FOR PRODUCTION NO. 13:**

All documents, electronically stored information, and things demonstrating, showing or
otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA
has or had knowledge that its products would be utilized or contained in a significant number of
consumer products sold in the Territory of Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 13:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs' possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 14:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA's microelectronics are present in "products produced by major manufacturers of consumer electronics and extensively distributed throughout the United States and the Territory of Guam."

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 14:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").

- 1 • Plaintiffs object to this request because it seeks information that is equally available to
2 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
3 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
4 business records.
- 5 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
6 possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
7 responsive to this request is the product of jurisdictional discovery that Defendants have yet
8 to fully yield.

9 **REQUEST FOR PRODUCTION NO. 15:**

10 All documents, electronically stored information, and things demonstrating, showing or
11 otherwise relating to your allegation in Paragraph 22 of your First Amended Complaint that "a
12 substantial number of retail outlets in the Territory of Guam regularly carry and sell consumer
13 products containing microelectronics manufactured by FMA."

14 **1. FMA's Position**

15 *See supra* section II (FMA'S General Contentions and Points of Authority).

16 **2. Plaintiffs' Specific Contentions and Points of Authority**

17 In addition to their General Contentions and Points of Authority, Plaintiffs make the
18 following specific objections to Request for Production No. 15:

- 19 • Plaintiffs object to this request as premature because it seeks information that is the subject
20 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
21 until May 15, 2007, and which is presently covered by the work product privilege. *See*
22 FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal
23 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
24 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
25 law....").
- 26 • Plaintiffs object to this request because it seeks information that is equally available to
FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
*6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
responsive to this request is the product of jurisdictional discovery that Defendants have yet
to fully yield.

REQUEST FOR PRODUCTION NO. 16:

All documents, electronically stored information, and things demonstrating, showing or
otherwise relating to your allegation in Paragraph 23 of your First Amended Complaint that
"people and businesses in the Territory of Guam can order and purchase electronic products

1 containing microelectronics manufactured by FMA.”

2 **1. FMA’s Position**

3 *See supra* section II (FMA’S General Contentions and Points of Authority).

4 **2. Plaintiffs’ Specific Contentions and Points of Authority**

5 In addition to their General Contentions and Points of Authority, Plaintiffs make the
6 following specific objections to Request for Production No. 16:
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- 8 • Plaintiffs object to this request as premature because it seeks information that is the subject
9 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
10 until May 15, 2007, and which is presently covered by the work product privilege. *See*
11 *FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501* (authorizing federal courts to develop federal
12 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
13 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal
14 law....”).
- 15 • Plaintiffs object to this request because it seeks information that is equally available to
16 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
17 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
18 business records.
- 19 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’
20 possession or control. *FED. R. CIV. P. 26(a)(1)(B)*. Specifically, any information
21 responsive to this request is the product of jurisdictional discovery that Defendants have yet
22 to fully yield.

23 **REQUEST FOR PRODUCTION NO. 17:**

24 All documents, electronically stored information, and things demonstrating, showing or
25 otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu
26 Limited engaged in business in the Territory of Guam.

27 **1. FMA’s Position**

28 *See supra* section II (FMA’S General Contentions and Points of Authority).

29 **2. Plaintiffs’ Specific Contentions and Points of Authority**

30 In addition to their General Contentions and Points of Authority, Plaintiffs make the
31 following specific objections to Request for Production No. 17:
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- 33 • Plaintiffs object to this request as premature because it seeks information that is the subject
34 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
35 until May 15, 2007, and which is presently covered by the work product privilege. *See*

FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal law....”).

- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’ possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 18:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu Limited has systematic and continuous contacts in the Territory of Guam.

1. FMA’s Position

See supra section II (FMA’S General Contentions and Points of Authority).

2. Plaintiffs’ Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 18:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs’ Response, which according to the Court’s February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal law....”).
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’ possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 19:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that this proceeding arises out of business done in the Territory of Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 19:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs' possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 20:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA engages in business in the Territory of Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 20:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs' possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 21:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA has systematic and continuous contacts in the Territory of Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 21:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").

- 1 • Plaintiffs object to this request because it seeks information that is equally available to
2 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
3 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
4 business records.
- 5 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
6 possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
7 responsive to this request is the product of jurisdictional discovery that Defendants have yet
8 to fully yield.

9 **REQUEST FOR PRODUCTION NO. 22:**

10 All documents, electronically stored information, and things demonstrating, showing or
11 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that this
12 proceeding arises out of business done in the Territory of Guam.

13 **1. FMA's Position**

14 *See supra* section II (FMA'S General Contentions and Points of Authority).

15 **2. Plaintiffs' Specific Contentions and Points of Authority**

16 In addition to their General Contentions and Points of Authority, Plaintiffs make the
17 following specific objections to Request for Production No. 22:

- 18 • Plaintiffs object to this request as premature because it seeks information that is the subject
19 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
20 until May 15, 2007, and which is presently covered by the work product privilege. *See*
21 FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal
22 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
23 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
24 law....").
- 25 • Plaintiffs object to this request because it seeks information that is equally available to
26 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
*6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
responsive to this request is the product of jurisdictional discovery that Defendants have yet
to fully yield.

27 **REQUEST FOR PRODUCTION NO. 23:**

28 All documents, electronically stored information, and things demonstrating, showing or
29 otherwise relating to your conclusion in Paragraph 19 of your First Amended Complaint that
30 "Defendants transact substantial business of a substantial character within the Territory of Guam."

1 **1. FMA's Position**

2 *See supra* section II (FMA'S General Contentions and Points of Authority).

3 **2. Plaintiffs' Specific Contentions and Points of Authority**

4 In addition to their General Contentions and Points of Authority, Plaintiffs make the
5 following specific objections to Request for Production No. 23:

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- 7 • Plaintiffs object to this request as premature because it seeks information that is the subject
8 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
9 until May 15, 2007, and which is presently covered by the work product privilege. *See*
10 *FED. R. CIV. P. 26(b)(1)*; *FED. R. EVID. 501* (authorizing federal courts to develop federal
11 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
12 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
13 law....").
 - 14 • Plaintiffs object to this request because it seeks information that is equally available to
15 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
16 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
business records.
 - 17 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
18 possession or control. *FED. R. CIV. P. 26(a)(1)(B)*. Specifically, any information
19 responsive to this request is the product of jurisdictional discovery that Defendants have yet
20 to fully yield.

21 **REQUEST FOR PRODUCTION NO. 24:**

22 All documents, electronically stored information, and things demonstrating, showing or
23 otherwise relating to your conclusion in Paragraph 8 of your First Amended Complaint that "each
24 Defendant has sufficient minimum contacts with the forum as a result of" placing products "into
25 the stream of commerce with the intention that they would be available to people in the United
26 States and the Territory of Guam."

27 **1. FMA's Position**

28 *See supra* section II (FMA'S General Contentions and Points of Authority).

29 **2. Plaintiffs' Specific Contentions and Points of Authority**

30 In addition to their General Contentions and Points of Authority, Plaintiffs make the
31 following specific objections to Request for Production No. 24:

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- 33 • Plaintiffs object to this request as premature because it seeks information that is the subject
34 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
35 until May 15, 2007, and which is presently covered by the work product privilege. *See*

FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal law....”).

- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’ possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 25:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 9 of your First Amended Complaint that “each Defendant has sufficient minimum contacts with the forum as a result of business conducted continuously and systematically within the Territory of Guam.”

1. FMA’s Position

See supra section II (FMA’S General Contentions and Points of Authority).

2. Plaintiffs’ Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 25:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs’ Response, which according to the Court’s February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal law....”).
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’ possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 26:

All documents, electronically stored information, and things upon which you rely to support your response to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. Plaintiffs' Specific Contentions and Points of Authority

In addition to their General Contentions and Points of Authority, Plaintiffs make the following specific objections to Request for Production No. 26:

- Plaintiffs object to this request as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal law....").
- Plaintiffs object to this request because it seeks information not relevant to the jurisdictional issues before the Court. FED. R. CIV. P. 26(b)(1). Specifically, the request seeks discovery of information relevant to the merits of this case, and Plaintiffs are not required to respond to merits-discovery requests until thirty days after the hearing on Defendants' pending motions to dismiss or transfer. (Ex. M, Stipulation, Dkt. No. 148, at 2).
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs' possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

REQUEST FOR PRODUCTION NO. 27:

All documents, electronically stored information, and things relating to the subject matter of Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

1 **1. FMA's Position**

2 *See supra* section II (FMA's General Contentions and Points of Authority).

3 **2. Plaintiffs' Specific Contentions and Points of Authority**

4 In addition to their General Contentions and Points of Authority, Plaintiffs make the
5 following specific objections to Request for Production No. 27:

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- 7 • Plaintiffs object to this request as premature because it seeks information that is the subject
8 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
9 until May 15, 2007, and which is presently covered by the work product privilege. *See*
10 FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal
11 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
12 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
13 law....").
 - 14 • Plaintiffs object to this request because it seeks information not relevant to the
15 jurisdictional issues before the Court. FED. R. CIV. P. 26(b)(1). Specifically, the request
16 seeks discovery of information relevant to the merits of this case, and Plaintiffs are not
17 required to respond to merits-discovery requests until thirty days after the hearing on
18 Defendants' pending motions to dismiss or transfer. (Ex. M, Stipulation, Dkt. No. 148, at
19 2).
 - 20 • Plaintiffs object to this request because it seeks information that is equally available to
21 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
22 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
23 business records.
 - 24 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
25 possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information
26 responsive to this request is the product of jurisdictional discovery that Defendants have yet
to fully yield.

21 **REQUEST FOR PRODUCTION NO. 28:**

22 All documents, electronically stored information, and things upon which you rely to
23 support in response to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS,
INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

24 **1. FMA's Position**

25 *See supra* section II (FMA's General Contentions and Points of Authority).

26

1 **2. Plaintiffs' Specific Contentions and Points of Authority**

2 In addition to their General Contentions and Points of Authority, Plaintiffs make the
3 following specific objections to Request for Production No. 28:

- 4 • Plaintiffs object to this request as premature because it seeks information that is the subject
5 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due
6 until May 15, 2007, and which is presently covered by the work product privilege. *See*
7 *FED. R. CIV. P. 26(b)(1)*; *FED. R. EVID. 501* (authorizing federal courts to develop federal
8 common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*,
9 491 U.S. 554, 562 (1989) ("We have recognized the attorney-client privilege under federal
10 law....").
- 11 • Plaintiffs object to this request because it seeks information not relevant to the
12 jurisdictional issues before the Court. *FED. R. CIV. P. 26(b)(1)*. Specifically, the request
13 seeks discovery of information relevant to the merits of this case, and Plaintiffs are not
14 required to respond to merits-discovery requests until thirty days after the hearing on
15 Defendants' pending motions to dismiss or transfer. (Ex. M, Stipulation, Dkt. No. 148, at
16 2).
- 17 • Plaintiffs object to this request because it seeks information that is equally available to
18 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
19 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own
20 business records.
- 21 • Plaintiffs further object to this request because it seeks information that is not in Plaintiffs'
22 possession or control. *FED. R. CIV. P. 26(a)(1)(B)*. Specifically, any information
23 responsive to this request is the product of jurisdictional discovery that Defendants have yet
24 to fully yield.

25 **REQUEST FOR PRODUCTION NO. 29:**

26 All documents, electronically stored information, and things related to the subject matter of
Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

1 **1. FMA's Position**

2 *See supra* section II (FMA'S General Contentions and Points of Authority).

3 **2. Plaintiffs' Specific Contentions and Points of Authority**

4 In addition to their General Contentions and Points of Authority, Plaintiffs make the
5 following specific objections to Request for Production No. 29:

- 6 • Plaintiffs object to this request as premature because it seeks information that is the subject
7 of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due

until May 15, 2007, and which is presently covered by the work product privilege. *See* FED. R. CIV. P. 26(b)(1); FED. R. EVID. 501 (authorizing federal courts to develop federal common law on both attorney-client and attorney work product privileges); *U.S. v. Zolin*, 491 U.S. 554, 562 (1989) (“We have recognized the attorney-client privilege under federal law....”).

- Plaintiffs object to this request because it seeks information not relevant to the jurisdictional issues before the Court. FED. R. CIV. P. 26(b)(1). Specifically, the request seeks discovery of information relevant to the merits of this case, and Plaintiffs are not required to respond to merits-discovery requests until thirty days after the hearing on Defendants’ pending motions to dismiss or transfer. (Ex. M, Stipulation, Dkt. No. 148, at 2).
- Plaintiffs object to this request because it seeks information that is equally available to FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from its own business records.
- Plaintiffs further object to this request because it seeks information that is not in Plaintiffs’ possession or control. FED. R. CIV. P. 26(a)(1)(B). Specifically, any information responsive to this request is the product of jurisdictional discovery that Defendants have yet to fully yield.

C. FMA’S REQUESTS FOR ADMISSIONS TO NTC USA

REQUEST FOR ADMISSION NO. 1:

Admit that Nanya does not maintain any offices in Guam.

1. FMA’s Position

See supra section II (FMA’S General Contentions and Points of Authority).

2. NTC USA’s Specific Contentions and Points of Authority

In addition to its General Contentions and Points of Authority, NTC USA makes the following specific objections to Request for Admission No. 1:

- NTC USA objects to this request because it seeks information not relevant to the jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P. 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will have no bearing on the propriety of the Court’s exercise of personal jurisdiction over Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M, Stipulation, Dkt. No. 148, at 2).

REQUEST FOR ADMISSION NO. 2:

Admit that Nanya does not maintain any operations in Guam.

1 **1. FMA's Position**

2 *See supra* section II (FMA'S General Contentions and Points of Authority).

3 **2. NTC USA's Specific Contentions and Points of Authority**

4 In addition to its General Contentions and Points of Authority, NTC USA makes
5 the following specific objections to Request for Admission No. 2:

- 6 • NTC USA objects to this request because it seeks information not relevant to the
7 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
8 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
9 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
10 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
11 Stipulation, Dkt. No. 148, at 2).

12 **REQUEST FOR ADMISSION NO. 3:**

13 Admit that Nanya does not have any employees in Guam.

14 **1. FMA's Position**

15 *See supra* section II (FMA'S General Contentions and Points of Authority).

16 **2. NTC USA's Specific Contentions and Points of Authority**

17 In addition to its General Contentions and Points of Authority, NTC USA makes
18 the following specific objections to Request for Admission No. 3:

- 19 • NTC USA objects to this request because it seeks information not relevant to the
20 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
21 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
22 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
23 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
24 Stipulation, Dkt. No. 148, at 2).

25 **REQUEST FOR ADMISSION NO. 4:**

26 Admit that Nanya does not have any affiliates in Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

1 **2. NTC USA's Specific Contentions and Points of Authority**

2 In addition to its General Contentions and Points of Authority, NTC USA makes
3 the following specific objections to Request for Admission No. 4:

- 4 • NTC USA objects to this request because it seeks information not relevant to the
5 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
6 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
7 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
8 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
9 Stipulation, Dkt. No. 148, at 2).

10 **REQUEST FOR ADMISSION NO. 5:**

11 Admit that Nanya does not have any salespersons in Guam.

12 **1. FMA's Position**

13 *See supra* section II (FMA'S General Contentions and Points of Authority).

14 **2. NTC USA's Specific Contentions and Points of Authority**

15 In addition to its General Contentions and Points of Authority, NTC USA makes
16 the following specific objections to Request for Admission No. 5:

- 17 • NTC USA objects to this request because it seeks information not relevant to the
18 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
19 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
20 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
21 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
22 Stipulation, Dkt. No. 148, at 2).

23 **REQUEST FOR ADMISSION NO. 6:**

24 Admit that Nanya has not advertised any products in the Guam local newspapers or Guam
25 local magazines in the six years before the Complaint was filed in this action.

26 **1. FMA's Position**

See supra section II (FMA'S General Contentions and Points of Authority).

2. NTC USA's Specific Contentions and Points of Authority

 In addition to its General Contentions and Points of Authority, NTC USA makes
the following specific objections to Request for Admission No. 6:

- NTC USA objects to this request because it seeks information not relevant to the
jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.

26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will have no bearing on the propriety of the Court's exercise of personal jurisdiction over Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M, Stipulation, Dkt. No. 148, at 2).

REQUEST FOR ADMISSION NO. 7:

Admit that Nanya has not advertised any services in the Guam local newspapers or Guam local magazines in the six years before the Complaint was filed in this action.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. NTC USA's Specific Contentions and Points of Authority

In addition to its General Contentions and Points of Authority, NTC USA makes the following specific objections to Request for Admission No. 7:

- NTC USA objects to this request because it seeks information not relevant to the jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P. 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will have no bearing on the propriety of the Court's exercise of personal jurisdiction over Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M, Stipulation, Dkt. No. 148, at 2).

REQUEST FOR ADMISSION NO. 8:

Admit that Nanya does not have real property in Guam.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

2. NTC USA's Specific Contentions and Points of Authority

In addition to its General Contentions and Points of Authority, NTC USA makes the following specific objections to Request for Admission No. 8:

- NTC USA objects to this request because it seeks information not relevant to the jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P. 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will have no bearing on the propriety of the Court's exercise of personal jurisdiction over Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M, Stipulation, Dkt. No. 148, at 2).

REQUEST FOR ADMISSION NO. 9:

Admit that Nanya does not lease any facility in Guam.

1 **1. FMA's Position**

2 *See supra* section II (FMA'S General Contentions and Points of Authority).

3 **2. NTC USA's Specific Contentions and Points of Authority**

4 In addition to its General Contentions and Points of Authority, NTC USA makes
5
6 the following specific objections to Request for Admission No. 9:

- 7 • NTC USA objects to this request because it seeks information not relevant to the
8 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
9 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
10 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
11 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
12 Stipulation, Dkt. No. 148, at 2).

11 **REQUEST FOR ADMISSION NO. 10:**

12 Admit that Nanya does not have a bank account in Guam.

13 **1. FMA's Position**

14 *See supra* section II (FMA'S General Contentions and Points of Authority).

15 **2. NTC USA's Specific Contentions and Points of Authority**

16 In addition to its General Contentions and Points of Authority, NTC USA makes
17 the following specific objections to Request for Admission No. 10:

- 18 • NTC USA objects to this request because it seeks information not relevant to the
19 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
20 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
21 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
22 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
23 Stipulation, Dkt. No. 148, at 2).

24 **REQUEST FOR ADMISSION NO. 11:**

25 Admit that Nanya does not maintain a telephone number in Guam.

26 **1. FMA's Position**

See supra section II (FMA'S General Contentions and Points of Authority).

1 **2. NTC USA's Specific Contentions and Points of Authority**

2 In addition to its General Contentions and Points of Authority, NTC USA makes
3 the following specific objections to Request for Admission No. 11:

- 4 • NTC USA objects to this request because it seeks information not relevant to the
5 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
6 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
7 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
8 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
9 Stipulation, Dkt. No. 148, at 2).

10 **REQUEST FOR ADMISSION NO. 12:**

11 Admit that Nanya does not maintain a telefax number in Guam.

12 **1. FMA's Position**

13 *See supra* section II (FMA'S General Contentions and Points of Authority).

14 **2. NTC USA's Specific Contentions and Points of Authority**

15 In addition to its General Contentions and Points of Authority, NTC USA makes
16 the following specific objections to Request for Admission No. 12:

- 17 • NTC USA objects to this request because it seeks information not relevant to the
18 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
19 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
20 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
21 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
22 Stipulation, Dkt. No. 148, at 2).

23 **REQUEST FOR ADMISSION NO. 13:**

24 Admit that Nanya does not have a telex number in Guam.

25 **1. FMA's Position**

26 *See supra* section II (FMA'S General Contentions and Points of Authority).

2. NTC USA's Specific Contentions and Points of Authority

 In addition to its General Contentions and Points of Authority, NTC USA makes
the following specific objections to Request for Admission No. 13:

- NTC USA objects to this request because it seeks information not relevant to the
jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will

1 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
 2 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
 3 Stipulation, Dkt. No. 148, at 2).

4 **REQUEST FOR ADMISSION NO. 14:**

5 Admit that Nanya does not have any directors in Guam.

6 **1. FMA's Position**

7 *See supra* section II (FMA'S General Contentions and Points of Authority).

8 **2. NTC USA's Specific Contentions and Points of Authority**

9 In addition to its General Contentions and Points of Authority, NTC USA makes
 10 the following specific objections to Request for Admission No. 14:

- 11 • NTC USA objects to this request because it seeks information not relevant to the
 12 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
 13 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
 14 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
 Stipulation, Dkt. No. 148, at 2).

15 **REQUEST FOR ADMISSION NO. 15:**

16 Admit that Nanya does not have any officers in Guam.

17 **1. FMA's Position**

18 *See supra* section II (FMA'S General Contentions and Points of Authority).

19 **2. NTC USA's Specific Contentions and Points of Authority**

20 In addition to its General Contentions and Points of Authority, NTC USA makes
 21 the following specific objections to Request for Admission No. 15:

- 22 • NTC USA objects to this request because it seeks information not relevant to the
 23 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
 24 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
 25 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
 Stipulation, Dkt. No. 148, at 2).

26 **REQUEST FOR ADMISSION NO. 16:**

Admit that Nanya does not maintain a post office box in Guam.

1 **1. FMA's Position**

2 *See supra* section II (FMA'S General Contentions and Points of Authority).

3 **2. NTC USA's Specific Contentions and Points of Authority**

4 In addition to its General Contentions and Points of Authority, NTC USA makes
5 the following specific objections to Request for Admission No. 16:

- 6 • NTC USA objects to this request because it seeks information not relevant to the
7 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
8 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
9 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
10 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
11 Stipulation, Dkt. No. 148, at 2).

12 **REQUEST FOR ADMISSION NO. 17:**

13 Admit that Nanya does not maintain a street address in Guam.

14 **1. FMA's Position**

15 *See supra* section II (FMA'S General Contentions and Points of Authority).

16 **2. NTC USA's Specific Contentions and Points of Authority**

17 In addition to its General Contentions and Points of Authority, NTC USA makes
18 the following specific objections to Request for Admission No. 17:

- 19 • NTC USA objects to this request because it seeks information not relevant to the
20 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
21 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
22 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
23 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
24 Stipulation, Dkt. No. 148, at 2).

25 **REQUEST FOR ADMISSION NO. 18:**

26 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
No. 06-CV-00025 in the District of Guam, Nanya has never been party to a lawsuit or legal
proceeding in any Guam Federal District Court.

1. FMA's Position

See supra section II (FMA'S General Contentions and Points of Authority).

1 **2. NTC USA's Specific Contentions and Points of Authority**

2 In addition to its General Contentions and Points of Authority, NTC USA makes
3 the following specific objections to Request for Admission No. 18:

- 4 • NTC USA objects to this request because it seeks information that is equally available to
5 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
6 *6-7 (N.D. Cal. 2007). Specifically, FMA may obtain this information from a search on
7 PACER.
8 • NTC USA objects to this request because it seeks information not relevant to the
9 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
10 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
11 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
12 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
13 Stipulation, Dkt. No. 148, at 2).

14 **REQUEST FOR ADMISSION NO. 19:**

15 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
16 No. 06-CV-00025 in the District of Guam, Nanya did not have in Guam any documents relevant to
17 the subject matter of this lawsuit.

18 **1. FMA's Position**

19 *See supra* section II (FMA'S General Contentions and Points of Authority).

20 **2. NTC USA's Specific Contentions and Points of Authority**

21 In addition to its General Contentions and Points of Authority, NTC USA makes
22 the following specific objections to Request for Admission No. 19:

- 23 • NTC USA objects to this request because it seeks information not relevant to the
24 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
25 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
26 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
27 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
28 Stipulation, Dkt. No. 148, at 2).

29 **REQUEST FOR ADMISSION NO. 20:**

30 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
31 No. 06-CV-00025 in the District of Guam, Nanya had not appointed an agent in Guam for service
32 of process.

33 **1. FMA's Position**

34 *See supra* section II (FMA'S General Contentions and Points of Authority).

1 **2. NTC USA's Specific Contentions and Points of Authority**

2 In addition to its General Contentions and Points of Authority, NTC USA makes
3 the following specific objections to Request for Admission No. 20:

- 4 • NTC USA objects to this request because it seeks information that is equally available to
5 FMA. *McColm v. Housing Auth.*, No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478,
6 *6-7 (N.D. Cal. 2007). Specifically, FMA's local counsel may obtain this information
7 from Guam's public records.
8 • NTC USA objects to this request because it seeks information not relevant to the
9 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
10 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
11 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
12 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
13 Stipulation, Dkt. No. 148, at 2).

11 **REQUEST FOR ADMISSION NO. 21:**

12 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
13 No. 06-CV-00025 in the District of Guam, Nanya had not negotiated any agreements in Guam
14 concerning the subject matter of this action.

14 **1. FMA's Position**

15 *See supra* section II (FMA'S General Contentions and Points of Authority).

16 **2. NTC USA's Specific Contentions and Points of Authority**

17 I In addition to its General Contentions and Points of Authority, NTC USA makes
18 the following specific objections to Request for Admission No. 21:
19

- 20 • NTC USA objects to this request because it seeks information not relevant to the
21 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
22 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
23 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
24 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
25 Stipulation, Dkt. No. 148, at 2).

24 **REQUEST FOR ADMISSION NO. 22:**

25 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
26 No. 06-CV-00025 in the District of Guam, Nanya had not executed any agreements in Guam
concerning the subject matter of this action.

1. **FMA's Position**

See supra section II (FMA'S General Contentions and Points of Authority).

1 **2. NTC USA's Specific Contentions and Points of Authority**

2 I In addition to its General Contentions and Points of Authority, NTC USA makes
3 the following specific objections to Request for Admission No. 22:

- 4 • NTC USA objects to this request because it seeks information not relevant to the
5 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
6 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
7 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
8 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
9 Stipulation, Dkt. No. 148, at 2).

10 **REQUEST FOR ADMISSION NO. 23:**

11 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
12 No. 06-CV-00025 in the District of Guam, Nanya had not executed any agreements that called for
13 Nanya's performance in Guam concerning the subject matter of this action.

14 **1. FMA's Position**

15 *See supra* section II (FMA'S General Contentions and Points of Authority).

16 **2. NTC USA's Specific Contentions and Points of Authority**

17 In addition to its General Contentions and Points of Authority, NTC USA makes
18 the following specific objections to Request for Admission No. 23:

- 19 • NTC USA objects to this request because it seeks information not relevant to the
20 jurisdictional issues before the Court or the claim or defense of any party. FED. R. CIV. P.
21 26(b)(1). Specifically, the request seeks discovery of information related to Nanya that will
22 have no bearing on the propriety of the Court's exercise of personal jurisdiction over
23 Defendants, which is the only issue to be addressed in discovery at this time. (Ex. M,
24 Stipulation, Dkt. No. 148, at 2).
- 25 • NTC USA objects to this request as being vague and ambiguous. Specifically, the request
26 fails to apprise NTC USA of the meaning of the phrase "agreements that called for Nanya's
performance in Guam concerning the subject matter of this action." *McColm v. Housing*
Auth., No. C-02-5810 PJH (JCS), 2007 U.S. Dist. LEXIS 8478, *6-7 (N.D. Cal. 2007).

27 **REQUEST FOR ADMISSION NO. 24:**

28 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*,
29 No. 06-CV-00025 in the District of Guam, Nanya had no correspondence with Fujitsu in Guam.

30 **1. FMA's Position**

31 *See supra* section II (FMA'S General Contentions and Points of Authority).